

MINUTES  
MALIBU CITY COUNCIL  
REGULAR MEETING  
OCTOBER 8, 2001  
HUGHES AUDITORIUM  
6:30 P.M.

**CLOSED SESSION**

At 5:30 p.m., the regular meeting of the Malibu City Council convened. City Attorney Hogin announced that the purpose of the Closed Session was to discuss matters listed on the posted agenda pursuant to Government Code Sections 54956.9 (a), 54956.8, and 54956.9. The City Council recessed to a closed session.

**CALL TO ORDER**

Mayor House reconvened the meeting at 6:42 p.m.

**ROLL CALL**

The following persons were recorded in attendance by the Recording Secretary:

PRESENT: Mayor Joan House, Mayor Pro Tem Jeffrey Jennings, Councilmembers Sharon Barovsky, Thomas Hasse and Ken Kearsley.

ALSO PRESENT: Katie Lichtig, Acting City Manager; Christi Hogin, City Attorney; Barry Hogan, Planning Director; Vic Peterson, Building Official; Chuck Bergson, Public Works Director; Julia James, Administrative Services Director; Paul Adams, Parks and Recreation Director; Gail Sumpter, Community Services Specialist; Meredith Elguira, Associate Planner; Sheila Powers, Assistant Planner; Sgt. Barrier; and Lisa Pope, City Clerk

**FLAG SALUTE**

Councilmember Hasse led the Pledge of Allegiance.

**CLOSED SESSION REPORT**

City Attorney Hogin announced that the Council met in Closed Session at 5:30 p.m. for the purpose of discussing matters listed on the posted closed session agenda as follows:

**Existing litigation per Government Code Section 54956.9 (a):**

1. Antario v. City of Malibu  
Los Angeles County Superior Court Case No. BC253990
2. City of Malibu v. California Coastal Commission  
Los Angeles County Superior Court Case No. BC230410
3. City of Malibu v. Santa Monica Mountains Conservancy (Streisand Center)  
Ventura County Superior Court Case No. CIV193900

4. Coffman v. City of Malibu  
Los Angeles County Superior Court Case No. BC246067
5. Darian v. Accent Builders et al.  
United States District Court Case No. 00-10255-FMC(JWJ)
6. Dove, et al. v. Malibu City Council, et al.  
Los Angeles County Superior Court Case No. BC254020
7. Gibbs v. City of Malibu  
Los Angeles County Superior Court Case No. BS059362
8. Hoffman v. City of Malibu  
Los Angeles County Superior Court Case No. SC061012
9. Keach v. City of Malibu  
Los Angeles County Superior Court Case No. SS009723
10. Lavine v. City of Malibu  
Los Angeles County Superior Court Case No. SS 008071
11. Malibu Township Council v. City of Malibu, et al.  
Los Angeles County Superior Court Case No. SC067214
12. Rubens v. City of Malibu  
Los Angeles County Superior Court Case No. SC060331
13. Sierra Club v. City of Malibu  
Los Angeles County Superior Court Case No. BS064912
14. Silver v. City of Malibu  
Los Angeles County Superior Court Case No. BC255025
15. Trancas Property Owners Association v. City of Malibu  
Los Angeles County Superior Court Case No. SC054684
16. Taxpayers for Livable Communities; Jay Liebig v. City of Malibu  
Los Angeles County Superior Court Case No. BC258432

**Real Estate negotiation matters pursuant to Government Code Section 54956.8:**

17. Property: Tract No. 46964 (5 lots)  
City Negotiator: City Attorney  
Property Negotiator: D.L. Malibu, Inc.

**Anticipated Litigation pursuant to Government Code Section 54956.9:**

18. Number of potential cases: 1

City Attorney Hogin reported that the Council discussed the items listed on the Closed Session agenda and no reportable action was taken.

**APPROVAL OF AGENDA**

MOTION Councilmember Kearsley moved and Councilmember Hasse seconded a motion to approve the agenda with Item 7.A. continued and adjourning in memory of Tom Wilbur. The motion carried unanimously.

**REPORT ON POSTING OF AGENDA**

City Clerk Pope reported that the agenda for the meeting was posted on September 28, 2001.

**ITEM 1 CEREMONIAL/PRESENTATIONS**

**A. Presentation by the California Wildlife Preservation Center**

Aaron Frank provided an overview of the services provided by the California Wildlife Center. He explained the rehabilitation of deer and the new deer enclosure. In response to Mayor House, Mr. Frank stated 15 deer had been rehabilitated in the deer enclosure this season. He explained that most of the deer were young fawns with injuries.

Mayor House congratulated the Wildlife Center on their program and ability to rehabilitate deer.

**ITEM 2 A. PUBLIC COMMENTS**

John Mazza, representing Malibu Riviera I, II, and III, expressed concern regarding traffic on Point Dume. He discussed the "Ed Niles" project which required an irrevocable trail easement offer impacting an ESHA and private trail easements. He requested the Council discuss and turn down the easement.

He stated their concern was based on the Coastal Commission Draft Local Coastal Plan requiring public access on the Point.

John Harlow discussed the Coastal Commission Draft Local Coastal Plan. He discussed the proposed land use policies on bikes and trails.

Steve Uhring discussed the Ahmanson Ranch Environmental Impact Report. He asked if the Council had or would be taking a position on the project.

Ruth White discussed the Coastal Commission Draft Local Coastal Plan. She stated the City needed to maintain its democratic freedoms. She requested a Citywide petition demanding the City's rights of self-government be restored.

Planning Director Hogan explained the irrevocable trail offer. He stated the City did not require the offer but rather it was required when the subdivision occurred under the County. City Attorney Hogin stated she would report back to the Council on the matter.

## **B. COUNCIL COMMENTS**

Councilmember Kearsley agreed with the public speakers regarding the Coastal Commission Draft LCP. He stated the Council had gone on record opposing the Ahmanson Ranch project.

Councilmember Hasse stated the Council had continually opposed the Ahmanson Ranch project. He announced the Council meeting on Monday, October 15 at Hughes Research Laboratories regarding the LCP. He discussed recent events he had attended.

Mayor Pro Tem Jennings requested the City Attorney report on the issue of the offer to dedicate the trail easement on Point Dume. He discussed the Coastal Commission LCP and the need to maintain local control. He stated the City was on record in opposition to the Ahmanson Ranch project. He stated the Land Use Subcommittee had met and discussed possible revisions to the geotechnical guidelines.

Mayor House discussed the geotechnical guidelines. She explained the City's opposition to the Ahmanson Ranch project. She discussed the Council meeting on October 15<sup>th</sup>, 6:30 p.m., on the LCP. She explained that the Council had discussed many options in closed session on how to proceed with the LCP. She encouraged residents to write their opinions to the Coastal Commission. She announced that the Council had reached an agreement with Dan Lufkin to

accept 4 lots on Trancas Canyon Road for parks and recreation uses. She requested the Council authorize presentation of a City tile to Mr. Lufkin for his generous donation.

Councilmember Barovsky thanked those who had extended condolences to her for the lose of her father. She concurred with the comments regarding the LCP. She suggested the City write a letter requesting the Coastal Commission meeting be held in Malibu on the LCP.

CONSENSUS By consensus, the Council directed staff to send a letter to the Coastal Commission requesting hearings be held in Malibu.

### **ITEM 3      CONSENT CALENDAR**

MOTION Councilmember Kearsley moved and Councilmember Hasse seconded a motion to approve the consent calendar. The motion carried unanimously with Councilmember Hasse abstaining from Item 3.A.2.

The Consent Calendar consisted of the following items:

- A. Previously Discussed Items
- B. New Items
  - 1. Waive further reading  
Staff recommendation: After the City Attorney has read the title, waive full reading of ordinances considered on this agenda for introduction on first reading and/or second reading and adoption.
  - 2. Approve Warrants  
Staff recommendation: To allow and approve warrant demand numbers 17511 through 17621 listed on the register from the General Fund and direct the City Treasurer to pay out the funds to each of the claimants listed in Warrant Register No. 243 in the amount of the warrant appearing opposite their names, for the purposes stated on the respective demands, including payroll checks, in a total amount of \$406,395.57.
  - 3. Re-affirm the State of Local Emergency Declared by the Director of Emergency Services on March 9, 2001 relating to the Landslide Road Failure at Corral Canyon  
Staff recommendation: Re-affirm the State of Local Emergency by minute order.
  - 4. Approval of Minutes  
Staff recommendation: Approve City Council meeting minutes of September 24, 2001.
  - 5. Request for Support of Assembly Bill 1602 - Parks Bond Act

Staff recommendation: Authorize a letter to Governor Davis be prepared in support of AB 1602 for the Mayor's signature.

6. Resolution Related to the September 11, 2001 Terrorist Attack

Staff recommendation: Adopt Resolution No. 01-57, condemning the terrorist attacks on the United States on September 11, 2001 and urging all of Malibu to stand united as a hate free community.

7. Consideration of Presentation of a Malibu Tile to the City of Agoura Hills to Commemorate the Opening of the New Agoura Hills City Hall

Staff recommendation: Present a Malibu Tile to the City of Agoura Hills to commemorate the grand opening of the newly constructed Agoura Hills City Hall.

#### **ITEM 4        ORDINANCES AND PUBLIC HEARINGS**

A. Prohibition of Camping in Vehicles on Public Streets and Establishment of Preferential Parking District Regulations and Malibu Road Preferential Parking District

Staff recommendation: 1) Introduce on first reading Ordinance No. 233 prohibiting camping in vehicles on public property, public parks and public beaches and amending the Municipal Code; 2) Introduce on first reading Ordinance No. 230 establishing preferential parking districts and amending the Municipal Code; and 3) Direct the City Clerk to place the item on the next City Council meeting to consider second reading and adoption.

Public Works Director Bergson presented the staff report.

Ryan Embree expressed concern regarding the proposed Malibu Road permit parking due to inconvenience to residents and necessary signage. He stated the overnight sleeping ordinance would rectify the problem on Malibu Road. He asked how residency would be determined.

Councilmember Hasse agreed with Mr. Embree that there may be some less restrictive means to accomplish the overnight parking problems. He asked if restricting vehicle size and overnight sleeping would eliminate the concerns on Malibu Road.

Councilmember Barovsky stated the Malibu Road Homeowners Association had requested permit parking. She stated she would support the proposed ordinance.

Councilmember Kearsley stated he would support the proposed ordinance.

Mayor Pro Tem Jennings stated he would oppose the preferential parking ordinance. He explained the purpose of preferential parking. He stated he would support a ban on camping overnight.

Mayor House asked if anyone could park on Malibu Road between 6 a.m. and 2 a.m. Public Works Director Bergson indicated that to be correct. Mayor House indicated support to restrict parking from 2:00 to 5:00 a.m.

Councilmember Barovsky discussed public access on Malibu Road and concern with illegal beach parties. She requested Public Safety Commissioner Randall address the Council.

Carol Randall explained that a parking ban from 2:00 to 5:00 a.m. was a temporary solution until City-wide overnight camping could be eliminated.

Councilmember Kearsley indicated opposition to preferential parking. He stated the proposed ordinance would open parking for use by others.

MOTION Councilmember Hasse moved and Mayor Pro Tem Jennings seconded a motion to introduce Ordinance No. 233 on first reading.

Mayor Pro Tem Jennings explained that Ordinance No. 233 prohibited camping in vehicles citywide.

The question was called and the motion carried unanimously.

MOTION Councilmember Barovsky moved and Councilmember Kearsley seconded a motion to introduce Ordinance No. 230 on first reading.

Councilmember Hasse stated he would vote against it and suggested that it be referred to the Public Safety Commission.

Mayor House stated she would not support Ordinance No. 230 so that it could receive additional input at a Public Safety Commission meeting.

The question was called and the motion failed 2-3, Councilmember Hasse, Mayor Pro Tem Jennings and Mayor House dissenting.

MOTION Councilmember Hasse moved and Mayor Pro Tem Jennings seconded a motion to refer Ordinance No. 230 to the Public Safety Commission for input from other homeowners associations and look at other ordinances related to size of vehicles. The motion carried unanimously.

- B. APPEAL NO. 01-010 – An appeal of the Planning Commission’s decision (Planning Commission Resolution No. 01-033(A-B)) to approve a project for a new single-family residence with a maximum height of 28 feet from finished grade, construction and grading on slopes greater than 2.5:1 and adoption of Negative Declaration 01-005. APPELLANTS: Thomas Panunzio, Derek Povah, Kam and Lori Majd; OWNER: Agnes Itzhaki; LOCATION: 5900 Zumirez Drive; GROSS ACREAGE: 1.47 acres  
Staff recommendation: Adopt Resolution Nos. 01-55(A-C) upholding the Planning Commission’s decision and denying Appeal No. 01-010.

Associate Planner Elguira presented the staff report. She presented photographs of the site.

Councilmember Barovsky disclosed that she met on site with the owner and Ms. Randal, viewed the story poles and walked around the property.

Councilmember Kearsley disclosed that he visited the site and met with the owner’s representative and the owner, walked the site and viewed the story poles, tried to see where Mr. Povah’s view might be blocked, and the location of the hammer head turn around.

Mayor Pro Tem Jennings stated he visited the site and had a conversation with Ms. Randal, walked the site, looked at story poles, and read the notations on story poles.

Councilmember Hasse state dhe visited the site and met with the applicant and applicant’s representative at City Hall.

Mayor House indicated she did not visit the site or have personal conversations with the applicant.

Derek Povah, appellant, stated the subject site would allow a house to be built which was smaller than that desired by Mr. Itzhaki. He stated the view impact on his home had been diminished. He stated the garage had not been adequately lowered.

David Sawyer, representing the appellant, presented photographs indicating the proposed project’s visibility from Ramirez Canyon and Pacific Coast Highway and the view impact from public trails.



Corin Kahn, appearing on behalf of all appellants, stated they had not received complete information from staff in order to provide their comment to the Council. He stated the project should not be approved due to many unresolved issues as indicated in his written comments. He suggested a reduced project. He stated neighborhood standards analysis must be conducted.

Marny Randall, representing the applicant, stated they had redesigned the project and felt the current proposal was appropriate for the site. She discussed the alleged public view impacts presented by the appellant. She stated the project was submitted to the Department of Forestry to reduce the impact to the sage scrub. She discussed the potential relocation of Calochortus plant.

Kevin Cozen, architect for the applicant, discussed the project design. He presented a sketch of the proposed basement. He explained that the wooden deck indicated would be a concrete deck area.

Agnes Itzhaki, applicant, discussed efforts to design a house that would least impact the views of her neighbors. She discussed homes adjacent to the proposed project. She urged the Council to approve the project.

Paul Grisante discussed comments by the appellants. He encouraged the Council to approve the project.

Dagman Zilunskas stated the proposed house was too large for the subject site. She stated the view from Ramirez Canyon would be impacted. She stated the area was rural and should remain that way.

Jenny Ball expressed concern about impact to their privacy and to wildlife. She stated the house was too large for the size of the lot.

Jo Ruggles stated the appeal would not be before the Council if the project had been processed correctly. She stated the pad was constrained and the project would have a major impact. She stated the visual impact would be enormous.

Norm Haynie discussed the hillside ordinance. He stated the appellants did not want any home that could be seen from a public trail or right of way.

Ruth White stated there were no neighborhood standards in Ramirez Canyon. She discussed drainage issues that could be created by the project. She expressed concern about glass reflection in the area. She stated there was an ancient landslide in the area.

Marny Randall stated she did not anticipate glare from the sun due to the angle of the home. She stated the City Geologist and Soils Engineer had provided approval in concept for the proposed project. She discussed the required stormwater management plan.

Corin Kahn stated they were requesting the Council and staff adhere to the City's rules. He stated evaluation of the visual impact was required. He stated the Code was not strictly adhered to. He discussed visual impact of the proposed project. He stated a three story curtain wall of glass would be visible. He stated the basement was a story. He stated they were requesting the project be required to comply with the Code.

RECESS Mayor House called a recess at 9:05 p.m. The meeting reconvened at 9:22 p.m. with all Councilmembers present.

- B. APPEAL NO. 01-010 – An appeal of the Planning Commission's decision (Planning Commission Resolution No. 01-033(A-B)) to approve a project for a new single-family residence with a maximum height of 28 feet from finished grade, construction and grading on slopes greater than 2.5:1 and adoption of Negative Declaration 01-005. APPELLANTS: Thomas Panunzio, Derek Povah, Kam and Lori Majd; OWNER: Agnes Itzhaki; LOCATION: 5900 Zumirez Drive; GROSS ACREAGE: 1.47 acres  
Staff recommendation: Adopt Resolution Nos. 01-55(A-C) upholding the Planning Commission's decision and denying Appeal No. 01-010.  
(CONTINUED)

Councilmember Kearsley asked if Mr. Gowl was familiar with light sources and if there would be direct reflection into the canyon. Victor Gowl stated there may be but only for a few minutes at a time.

Councilmember Kearsley asked about the Majd home. Associate Planner Elguira pointed out the Majd house and stated it was approximately 8,000 square feet and 28-feet high. She indicated the size and height of the Povah home. She stated the lot size of the subject and surrounding properties.

Ms. Itzhaki stated her property was 1.47 acres.

Mayor Pro Tem Jennings discussed the garage roof elevation. Mr. Povah stated the garage elevation started at 442, increased and was then lowered back to 442.

Councilmember Barovsky requested Associate Planner Elguira display the 18-foot story poles. Associate Planner Elguira explained the purpose for showing the 18-foot story poles to show the potential project that could be built. Associate Planner Elguira stated the horizon would fall below the 18 foot high story pole.

In response to Councilmember Kearsley, Associate Planner Elguira stated she beleived the applicant could build a 1700 square foot home under the City guidelines.

Associate Planner Elguira presented photographs of the story poles from Mr. Povah's home. She explained the California Native Plants Society's recommendation for relocation of the poppy.

Mayor House asked why neighborhood standards were not considered. Associate Planner Elguira explained that the project did not require neighborhood standards. Mayor House asked why CEQA was not required. Associate Planner Elguira explained that an initial study was done and the mitigated negative declaration was before the Council for adoption.

Councilmember Barovsky asked if the 6 foot wall was included in the project. Associate Planner Elguira stated the project could be conditioned to relocate the Mariposa Lily bulbs.

Councilmember Hasse stated the project did not adversely affect neighborhood character. He stated the project would not block primary views of the ocean or the Santa Monica Mountains. He reviewed the necessary findings and indicated he could support the project.

Councilmember Barovsky stated she would support the findings of the Planning Commission with the caviat that the wall be removed and the bulbs relocated to be protected. She suggested the Council ask the applicant if the garage could be lowered.

Councilmember Kearsley suggested the garage roof be lowered.

Mayor Pro Tem Jennings asked if non-reflective glass was required. Associate Planner Elguira stated Condition 11 required non-reflective glass. Mayor Pro Tem Jennings discussed neighborhood standards and neighborhood character. He stated the only legitimate basis for denying the site plan review would be based on the glass on the front of the house. He discussed the problems created by the glass facade. He stated he was inclined to not grant the site plan review

based on the necessary finding that visual impact was minimized of hillside development.

Councilmember Kearsley stated light glare could be mitigated by shading.

Mayor House agreed that the garage could be lowered. She suggested the basement be underground on all 4 sides. She supported use of non-reflective glass. She indicated support for relocating the Calochortus plummerae rather than installation of a 6 foot wall.

**MOTION** Councilmember Hasse moved and Councilmember Kearsley seconded a motion to adopt Resolution No. 01-55B affirming Planning Commission's decision and denying the applicant's appeal 01-010 to deny Site Plan Review No. 98-015 for increase in height above the base 18 feet up to 28 feet for a new single family residence at 5900 Zumirez Drive and adoption of Mitigated Negative Declaration No. 01-005 (Itzhaki).

Councilmember Barovsky indicated she would support the resolution if the project was conditioned to relocate the Mariposa Lily, that the 28 foot wall of glass be tinted with non-reflective coating to minimize glare and that the garage be lowered a minimum of 1-foot.

**AMENDMENT**

Councilmember Barovsky moved and Mayor House seconded a motion to amend the motion to revise Condition 17 to delete reference to construction of a six-foot high by 60-foot long firewall. The question was called and the motion carried unanimously.

**AMENDMENT**

Councilmember Barovsky moved and Mayor House seconded a motion to amend the conditions to require the glass on the south elevation, to be tinted to minimize glare from interior lighting to outside. The question was called and the motion carried unanimously.

**AMENDMENT**

Councilmember Barovsky moved and Councilmember Kearsley seconded a motion to amend the motion to lower the height of the garage by a minimum of one foot.

Mayor Pro Tem Jennings stated he would not support the amendment because he was unsure of what it would do to the design.

The question was called and the motion carried 3-2, Councilmember Hasse and Mayor Pro Tem Jennings dissenting.

**MOTION** The question was called on the amended motion and the motion carried unanimously. Councilmember Hasse moved and Councilmember Barovsky seconded a motion to adopt Resolution No. 01-55C, affirming the Planning Commission's decision and denying the applicant's appeal 01-010 to deny approval of Variance Request No. 01-007 for construction and grading on slopes greater than 2.5:1 for a new single family residence located at 590 Zumirez Drive (Itzhaki) and to adopt Resolution No. 01-55A, affirming the Planning Commission's decision and denying the applicant appeal 01-010 to deny construction of a new single family residence at 5900 Zumirez Drive and adoption of Mitigated Negative Declaration 01-005 (Itzhaki). The question was called and the motion carried unanimously.

- C. Commercial Development Standards (Malibu Municipal Code Section 9.3.07)  
Staff recommendation: Adopt Resolution No. 01-54 directing staff to prepare a zone text amendment correcting the commercial development standards of the Interim Zoning Ordinance (IZO).

**MOTION** Councilmember Hasse moved and Councilmember Kearsley seconded to refer the matter to the Land Use Subcommittee. The motion carried unanimously.

**ITEM 5 OLD BUSINESS**

- A. Neighborhood Traffic Plan Process (Continued from September 10, 2001)  
Staff recommendation: Approve the Neighborhood Traffic Plan Process.

Public Works Director Bergson presented the staff report.

Ryan Embree provided suggested revisions to the process. He suggested the Public Safety Commission be utilized in the process.

Mayor Pro Tem Jennings asked if the Public Safety Commission had reviewed the report. Public Works Director Bergson stated they had. Mayor Pro Tem Jennings requested the Commission's report be included in the staff report.

Councilmember Hasse suggested incorporating the Public Safety Commission in Step 2 of requests.

Mayor Pro Tem Jennings suggested incorporating the memorandum from the Fire Department regarding its speed bump/hump policy.

**CONSENSUS** By consensus, the Council referred the matter to the Public Works Director to be brought back on November 13, 2001, to include the Public Safety Commission in

Step 2, to amend the language requiring 75% of the property owners to request change, include the Fire Department policy on speed humps, and that the Sheriff's Department be incorporated into the approval of process.

## **ITEM 6      NEW BUSINESS**

A.    Proposed Wastewater Management Action Plan (Continued from September 24, 2001)

Staff recommendation: 1) Review and approve the general direction, goals and elements of the proposed Wastewater Management Action Plan; and 2) Direct staff to continue to develop the specific elements of the Action Plan and deliver those elements to Council in a timely manner for review, possible approval and codification.

Building Official Peterson provided an overview of the proposed Wastewater Management Plan including benefits, stakeholders, development of citizen outreach strategy - grant funding, and set up management entity implementation.

Larry Young reviewed failure and inspection criteria.

Building Official Peterson presented the proposed timeline for implementation. He discussed cost for inspections.

In response to Councilmember Kearsley, Mr. Young explained point of sale inspection criteria. Councilmember Kearsley asked how failure criteria would be determined. Mr. Young stated failure criteria would eventually be codified. He explained electronic locating devices utilized to locate systems. Building Official Peterson explained proposed operating permits.

Mayor Pro Tem Jennings suggested focusing on high risk areas first. He stated it was necessary to determine need and expense. Building Official Peterson stated his intent was to focus on critical areas.

Norm Haynie, Chairman of Wastewater Advisory Committee, indicated support for the staff proposal. He stated on-site wastewater treatment facilities worked very well. He stated education was an important component.

Councilmember Kearsley indicated support for Items 1-5. Building Official Peterson stated he did not think Item 6 was necessary.

**MOTION** Councilmember Kearsley moved and Councilmember Barovsky seconded a motion to direct staff to continue to develop the specific elements of the Action Plan and deliver those elements to Council in a timely manner for review, possible approval and codification. The motion carried unanimously.

**ITEM 7 COUNCIL ITEMS**

- A. Appointment by Councilmember Hasse to the Malibu Trails Master Plan Advisory Committee (Councilmember Hasse) (Continued from September 24, 2001)  
Recommendation: Councilmember Hasse to make an appointment to the Trails Master Plan Advisory Committee.

This item was continued upon approval of the agenda.

**ADJOURN** At 11:12 p.m., Councilmember Barovsky moved and Councilmember Kearsley seconded a motion to adjourn in memory Tom Wilbur. The motion carried unanimously.

Approved and adopted by the City Council of the  
City of Malibu on November 13, 2001.

\_\_\_\_\_  
JOAN HOUSE, Mayor

ATTEST:

\_\_\_\_\_  
LISA POPE, City Clerk  
(seal)